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July 24, 2014

By Facsimile – (212) 805-6111

Hon. Henry B. Pitman
Magistrate Judge
United States District Court
United States Courthouse
500 Pearl St., Room 1320
New York, NY 10007

Re: Apple Mortgage Corp. v. Barenblatt et al., 13-CV-9233 (JGK) (HP)

Dear Magistrate Judge Pitman:

We represent Defendants in this action and I write in response to the letter electronically filed by Plaintiff yesterday afternoon. Defendants do consent to Plaintiff's request to adjourn of the settlement conference currently scheduled for July 30, 2014. We do that largely as a courtesy to Plaintiff's new counsel, who has only recently entered the case.

We disagree with Plaintiff's assessment of the current status of discovery set forth in yesterday's letter, but will not burden the Court at this time with a point-by-point. We thought we had ironed out most of the discovery disputes with Plaintiff's prior counsel, but apparently new counsel comes with new ideas. In any event, we have proposed to meet and confer with Plaintiffs new counsel in an effort to address all outstanding issues, in the hope that any discovery disputes can be resolved or significantly narrowed before they are presented to the Court.

Further to the requirements of Your Honor's Individual Practices, we note: (1) the original scheduled date for the settlement conference was May 15, 2014, which was adjourned at Plaintiff's request to July 30, 2014; (2) as such, there has been one previous request for an adjournment; (3) the one previous request was granted; and (4) as indicated above, Defendants consent to the current request. Finally, we do not believe the requested adjournment affects any

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other scheduled dates. The Civil Scheduling Order in this matter requires discovery to be completed by October 31, 2014, and we respectfully suggest that late October would be an appropriate time for a rescheduled settlement conference.

Respectfully submitted,



Richard C. Schoenstein

cc: Jonathan Rogin (by ECF)